

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAY KRUISE,

Plaintiff,

v.

UNITED STATES DEPARTMENT  
OF THE ARMY, et al.,

Defendants.

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3:14-CV-01937  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 17<sup>th</sup> DAY OF APRIL, 2015, upon review of Magistrate Judge  
Mehalchick's Report and Recommendation for clear error and manifest injustice, IT IS  
**HEREBY ORDERED THAT:**

1. The Report and Recommendation (Doc. 7) is **ADOPTED**, for the reasons stated therein.
2. Plaintiff's "Notice of Withdrawal" (Doc. 6) is **CONSTRUED** as a Notice of Voluntary Dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i).
3. The action is **DISMISSED WITHOUT PREJUDICE**.
4. Plaintiff's Motion to Appoint Counsel (Doc. 3) is **DENIED AS MOOT**.
5. The Clerk of Court is **DIRECTED** to close the case.

**FILED**  
**SCRANTON**

APR 17 2015

PER   
DEPUTY CLERK

A handwritten signature in black ink, appearing to read "R. D. Mariani", written over a horizontal line.

Robert D. Mariani  
United States District Judge